



STATE OF WISCONSIN Assembly Journal

Ninety-Eighth Regular Session

MONDAY, September 8, 2008

The Chief Clerk makes the following entries under the above date:

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 04–023

Relating to national emission standards for hazardous air pollutants for facilities engaged in the secondary production of aluminum.

Submitted by Department of Natural Resources.
Report received from Agency, August 27, 2008.
To committee on **Natural Resources**.
Referred on September 8, 2008.

Assembly Clearinghouse Rule 07–102

Relating to child care centers.
Submitted by Department of Health and Family Services.
Report received from Agency, August 27, 2008.
To committee on **Children and Family Law**.
Referred on September 8, 2008.

Assembly Clearinghouse Rule 07–105

Relating to national emission standards for hazardous air pollutants (NESHAP) for halogenated solvent cleaners and the NESHAP general provisions.

Submitted by Department of Natural Resources.
Report received from Agency, August 27, 2008.
To committee on **Natural Resources**.
Referred on September 8, 2008.

Assembly Clearinghouse Rule 08–043

Relating to the uniform dwelling code.
Submitted by Department of Commerce.
Report received from Agency, August 27, 2008.
To committee on **Housing**.
Referred on September 8, 2008.

Assembly Clearinghouse Rule 08–047

Relating to electrical construction.
Submitted by Department of Commerce.
Report received from Agency, August 22, 2008.
To committee on **Housing**.
Referred on September 8, 2008.

Assembly Clearinghouse Rule 08–055

Relating to the design, installation or construction, inspection and maintenance of plumbing.
Submitted by Department of Commerce.

Report received from Agency, August 22, 2008.
To committee on **Labor and Industry**.
Referred on September 8, 2008.

Assembly Clearinghouse Rule 08–061

Relating to the 2008 migratory game bird seasons and waterfowl hunting zones.

Submitted by Department of Natural Resources.
Report received from Agency, August 27, 2008.
To committee on **Natural Resources**.
Referred on September 8, 2008.

Assembly Clearinghouse Rule 08–066

Relating to establishment of birth cost orders based on child support guidelines.

Submitted by Department of Workforce Development.
Report received from Agency, August 27, 2008.
To committee on **Children and Family Law**.
Referred on September 8, 2008.

Assembly Clearinghouse Rule 08–069

Relating to increasing Wisconsin's minimum wages and affecting small businesses.

Submitted by Department of Workforce Development.
Report received from Agency, August 22, 2008.
To committee on **Jobs and The Economy**.
Referred on September 8, 2008.

COMMITTEE REPORTS

The committee on **Natural Resources** reports and recommends:

Clearinghouse Rule 07–036

Relating to adoption of federal emission standard for mercury and additional mercury emission reductions.

Objection:

Ayes: 7 – Representatives Gunderson, J. Ott, Bies, M. Williams, Moulton, Nerison and Mursau.

Noes: 6 – Representatives Black, Molepske, Steinbrink, Hraychuck, Hebl and Mason.

To joint committee for **review of Administrative Rules**.

SCOTT GUNDERSON

Chairperson

Committee on Natural Resources

REFERRAL OF AGENCY REPORTS

DATE: August 22, 2008

TO: Patrick E. Fuller, Assembly Chief Clerk
Robert J. Marchant, Senate Chief Clerk

FROM: Kevin P. Reilly
University of Wisconsin System
Office of the President

RE: Report under s. 36.55, Wisconsin Statutes

Enclosed please find the report required under s. 36.55, Wisconsin Statutes, for the period July 1, 2006 to June 30, 2008.

Sincerely,
KEVIN P. REILLY
President

Referred to committee on **Colleges and Universities**.

State of Wisconsin
Investment Board
Madison

August 26, 2008

To the Honorable, the Legislature:

Pursuant to s. 1.11(2)(j), Stats., please distribute this notice to members of the Assembly. The State of Wisconsin Investment Board did not consider any proposals or major actions in Wisconsin during fiscal year 2008 that would have significantly affected the quality of the human environment. Accordingly, the agency was not required to prepare any environmental assessments or impact statements under s. 1.11, Stats.

Please contact Sandy Drew at 261-0182 if you have any questions concerning this report.

Sincerely,
KEITH BOZARTH
Executive Director

Referred to committee on **Natural Resources**.

State of Wisconsin
Department of Health Services
Madison

August 29, 2008

To the Honorable, the Legislature:

In accordance with s. 1.11(2)(j) Wis. Stats., the Department of Health Services reports that it conducted one Environmental Assessment during the reporting period of July 1, 2007, through June 30, 2008. The EA was done for the project to construct a 300 bed addition at the Sand Ridge Secure Treatment Center in Mauston, WI. It was determined that the

construction of this project does not have a significant negative effect on the environment.

Sincerely,
KAREN E. TIMBERLAKE
Secretary

Referred to committee on **Natural Resources**.

State of Wisconsin
Department of Administration
Madison

August 29, 2008

To the Honorable, the Legislature:

This report is transmitted as required by s. 20.002(11)(f), Wisconsin Statutes, (for distribution to the appropriate standing committees under s. 13.172(3), Wisconsin Statutes) and confirms that the Department of Administration has found it necessary to exercise the "temporary reallocation of balances" authority provided by this section in order to meet payment responsibilities and cover resulting negative cash balances during the month of July 2008.

On July 1, 2008, the Injured Patients and Families Compensation Fund cash balance closed at a negative \$163.3 million. This negative balance continued through July 31, 2008, when the fund's cash balance closed at a negative \$156.0 million. The Injured Patients and Families Compensation Fund cash balance reached its intra-month low of a negative \$170.7 million on July 10, 2008. The negative balance was due to the transfer of \$200 million to the Medical Assistance Trust Fund per **2007 Wisconsin Act 20**, and the pending liquidation of fund securities necessary to offset this shortfall.

On July 9, 2008, the University Trust Fund - Principal cash balance closed at a negative \$1.2 million. This negative balance continued through July 31, 2008, when the fund's cash balance closed at a negative \$4.2 million (its intra-month low). The negative balance was due to an accounting error that was corrected in August.

The Injured Patients and Families Compensation Fund, and University Trust Fund - Principal shortfalls were not in excess of the statutory interfund borrowing limitations and did not exceed the balances of the funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund's share. Therefore, the monthly calculation by the State Controller's Office will automatically reflect the use of these temporary reallocations of balance authority, and as a result, the funds requiring the use of the authority will effectively bear the interest cost.

Sincerely,
MICHAEL L. MORGAN
Secretary

Referred to committee on **Ways and Means**.

State of Wisconsin
Department of Natural Resources
Madison

August 29, 2008

To the Honorable, the Legislature:

Attached please find an electronic copy of the 2008 Groundwater Coordinating Council Report to the Legislature. This report fulfills statutory requirements under s. 15.347(13), Wis. Stats., and is to be distributed to the appropriate standing committees on the environment and natural resources in the Senate and Assembly. It is my understanding that it is no longer necessary (or desired) to distribute paper copies to each member of the appropriate committees. Therefore I will deliver one paper copy to each of your offices next week when they are available from the printer. If you would like additional paper copies or have any questions please contact me.

The report is also be available to read or download at: <http://dnr.wi.gov/org/water/dwg/gcc/rtl/gccreport.htm>.

Thank you.

Sincerely,
JEFF HELMUTH
Program Coordinator

Referred to committee on **Natural Resources**.

State of Wisconsin
Department of Health Services
Madison

August 29, 2008

To the Honorable, the Legislature:

Section 227.485(9) Wis. Stats. requires the Department to submit a report concerning decisions and resulting payments of attorney fees and related legal costs. Attorney fees and other legal costs are to be paid whenever the opposing party to an agency's Chapter 227 hearing prevails and it is determined the agency's position was not substantially justified. The attached report reflects payments made during SFY2008.

In addition, under s. 814.245(10) Wis. Stats., the Department is required to report any awards granted to the Department regarding frivolous motions brought against this Department. In SFY2008, no motions of opposing parties were found to be

frivolous. Consequently, the Department has no awards to report.

Sincerely,
KAREN E. TIMBERLAKE
Secretary

Referred to committee on **Health and Healthcare Reform**.

State of Wisconsin
Department of Health Services
Madison

August 29, 2008

To the Honorable, the Legislature:

Section 55.14(11) of the Wis. Stats. requires the Department of Health Services to submit a report concerning any orders for the involuntary administration of psychotropic medications to individuals who are receiving protective services. Counties and their contract agencies are required to submit copies of these orders to the Department. Sections 51.14(3) and (8) establish the criteria for issuance of court orders. Eight counties (La Crosse, Manitowoc, Marinette, Oneida, Rock, Washburn, Waushara and Wood) provided copies of protective placement court orders for psychotropic medications in the last year.

Sincerely,
KAREN E. TIMBERLAKE
Secretary

Referred to committee on **Aging and Long Term Care**.

AGENCY REPORTS

State of Wisconsin
Housing and Economic Development Authority
Madison

August 25, 2008

To the Honorable, the Assembly:

Pursuant to Wisconsin Statute 234.931(5), enclosed please find the following report relating to the Wisconsin Developmental Reserve Fund:

Annual Report of Guarantee Funds as of June 30, 2008.

Should you have any questions or comments on the reports, please feel free to call me at 266-1640.

Sincerely,
LAURA B. MORRIS
Chief Financial Officer